

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cheronis, et al.  
Serial No: 09/595,720  
Date Filed: 6/16/2000  
Invention: A Quantitative Assay  
Of Low Abundance Molecules

Atty Dkt: 2331/111  
Examiner: Cook, Lisa V.  
Group No: 1641  
Date: November 24, 2003

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3/24/04

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached Response E is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA, 22313, at 703-308-4556, to the attention of Examiner Lisa V. Cook, on November 24, 2003.

  
Barbara J. Carter

Commissioner for Patents  
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR §1.116 - EXPEDITED PROCEDURE -  
TECHNOLOGY CENTER 1600, ART UNIT 1641  
RESPONSE E

Applicants would like to thank Examiner Cook for the informal telephone interview of October 1, 2003 and Examiners Cook and Le for the courtesy of a formal telephone interview on October 8, 2003. In response to the office action of September 24, 2003, please consider the following arguments:

RemarksSummary of Telephone Conversation of October 1, 2003

Attorney Carter, for Applicants, called Examiner Cook on October 1, 2003, to inquire about the second to last paragraph of Section III, p. 9 of the Office Action of September 24, 2003 (hereinafter "the Office Action") which states "A claim is anticipated if each element of the claim is found, either expressly described or under principles of inherency, ....or embodied in a single prior art device or practice." Applicants were confused by this paragraph because the Office Action contains no prior art references in connection with a 35 U.S.C. §102 rejection. Examiner Cook advised